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COMMISSION OF INQUIRY INTO THE
USE OF DRUGS AND BANNED PRACTICES
INTENDED TO INCREASE ATHLETIC PERFORMANCE

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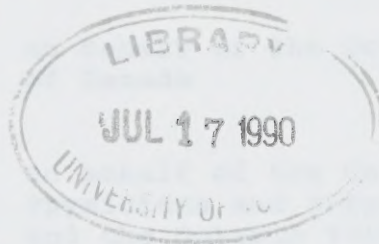
THE HONOURABLE MR. JUSTICE CHARLES LEONARD DUBIN

HEARING HELD AT 1235 BAY STREET,
2nd FLOOR, TORONTO, ONTARIO,
ON TUESDAY, SEPTEMBER 5, 1989

VOLUME 79

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(i)

C O U N S E L:

MS. K. CHOWN

on behalf of the
Commission

J. DePENCIER

on behalf of the Government
of Canada

R. STEINECKE

on behalf of the College of
Physicians and Surgeons
and the Ontario Veterinary
College

R. HUGHES

on behalf of Dr. Artinian

(ii)

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--- Upon commencing.

THE COMMISSIONER: Good morning. I apologize for the delay. I have had to meet with counsel. We have had a few problems arisen today which will affect our schedule. Go ahead, Ms. Chown.

MS. CHOWN: Yes, Mr. Commissioner, before we call our first witness, I'd like to outline the witnesses we expect to call this week.

Today we have Mr. Mario Chagnon, who will be testifying as to his experiences as a football player at Bishop's. We are also calling an investigator with the Ontario Veterinary Association, Miss Debbie Lloyd.

It was our original intention today as well to produce and file with you, sir, as exhibits the invoices of drug purchases made by Dr. Artinian or others on his behalf through five drug companies and, as well, to call a pharmacist and a representative from one of those drug companies to review some of those invoices.

At the request of Dr. Artinian's counsel we have agreed to defer that evidence until Friday of this week, when Dr. Artinian will be testifying.

THE COMMISSIONER: All right.

MS. CHOWN: Accordingly, Mr. Commissioner, we will be shorter than expected today as a result of

those witnesses not being called this morning.

THE COMMISSIONER: And I understand tomorrow we are not available ---

5 MS. CHOWN: We have had some difficulties with scheduling this week, which tomorrow we do not have witnesses available. On Thursday of this week, Mr. Richard Pound will be returning to testify and, as well, Mr. Roger Jackson of the Canadian Olympic Association will be present.

10 THE COMMISSIONER: All right, thank you.

MS. CHOWN: And on Friday of this week, as I indicated, we'll be hearing from Dr. Artinian and the various drug company witnesses I have referred to, as well as Mr. Dennis Deagan of the Drug Enforcement Agency in the United States.

15 THE COMMISSIONER: All right, Mr. Hughes.

MR. HUGHES: Fine, thank you, sir.

THE COMMISSIONER: We'll see you Friday; not later than.

20 MR. HUGHES: Thank you.

THE COMMISSIONER: All right, Ms. Chown.

MS. CHOWN: Thank you, Mr. Commissioner. Our first witness is Mr. Mario Chagnon. He is present and ready to be sworn.

MARIO CHAGNON, sworn.

THE COMMISSIONER: Ms. Chown?

5 MS. CHOWN:

Q. Thank you.

Mr. Chagnon, I understand you were born in
Vairennes, which is a town near Montreal?

A. Yes.

10 Q. What year were you born in? 1961?

A. Yes.

Q. That was the year of your birth? At the
present time you live in Montreal?

A. Yes.

15 Q. And you have a job as an instructor in
body building in a gymnasium in Montreal?

A. Yes.

Q. How long have you had that job?

A. One year.

20 Q. Mr. Chagnon, we have asked you to come
here today to talk about your experiences as a college
football player?

A. Yes.

25 Q. Now, I understand that you were a
student at McGill University between 1982 up until the

fall, September, of 1985, is that correct?

A. Yes.

Q. What did you study at McGill?

A. At McGill was French-Canadian studies.

5 Q. I understand as well during that time
you were a member of the McGill Redmen football team?

A. Yes.

Q. What was your position?

A. Defensive line.

10 Q. And you played for the McGill Redmen for
the 1982, 1983, 1984 season as a team member, and you
played two exhibition games in the 1985 season ---

A. Yes.

Q. --- is that correct?

15 Now, to your knowledge, the time that you
were at McGill, were you aware of any anabolic steroid use
by members of the McGill Redmen team?

A. Not during the time that I was there.

20 But when I arrived there in '82, I know that before,
before 1982, a lot of the guys used steroids at McGill.

Q. Between the time you were there in 1982
and the fall of 1985, you were not aware of yourself or
your team mates using steroids?

25 A. During I was there, I think everybody
was clean; I have some doubt about maybe one or two guys

of taking steroids but I'm not sure.

Q. Now, I think you told me that your coach when you were at McGill was coach Baillie?

A. Charlie Baillie.

5 Q. And did he talk to the players about steroids during the time that you were there?

10 A. He never talk about steroids. The only thing is before the 1986 -- '85 season, he send letters to each player, as well, the letter was write, if he found somebody, if he knew that somebody is going to take steroids, he's going to fire him. That was the only politics at McGill.

Q. So coach Baillie said if any member of the team takes steroids, they will not be on the team?

15 A. Yeah. But I think was much more protect himself than anything else.

20 Q. Now, in the fall of 1985, as I mentioned earlier, you played two exhibition games with the McGill Redmen. And then I understand you received an offer, an opportunity to go and play rugby in France?

A. Yes.

Q. And you went to France in September of 1985?

A. Yes.

25 Q. And you played rugby in a second

division team in France in Bordeaux?

A. Yes.

Q. What was the name of your team?

A. Was Merignac, that's a little town close
5 to.

THE COMMISSIONER: Which town was it? What
was the name?

THE WITNESS: Merignac.

MS. CHOWN: Merignac.

10 THE COMMISSIONER: Oh, thank you.

MS. CHOWN:

Q. Was that team a professional team, Mr.
Chagnon? Were you paid for playing?

15 A. Was that semi-professional. They find
you a job part time, and then they give you a salary. It
depend if the team win, you have a salary, depending if
the team win or not.

20 Q. In this team you played from September
of 1985 until February of 1986?

A. Yes.

Q. And you played at various towns in
France?

A. Yes.

25 Q. And during that period of four or five

months that you were with your team, was there any use of anabolic steroids by your rugby teammates?

A. No. In my team, no.

Q. And you have told me that anabolic
5 steroids are not a useful drug for a rugby player, is that right?

A. No, you cannot take steroids for rugby because the fact that when you take steroids you become bulky and going to bother you more than anything else.
10 The kind of drug that they took in rugby is amphetamines.

Q. Amphetamines?

A. Amphetamines, yes.

Q. And can you explain to us why did rugby players take amphetamines?

15 A. Because amphetamines is only -- they delay the, the fatigue on the body, so you have, you have all the time that, the kind of juice to running.

Q. A kind of energy to keep playing for a long time?

20 A. Amphetamines pump the heart all the time. So you have juice all the time. You can run all the time without getting tired.

Q. All right. Did you, yourself, take amphetamines ---

25 A. No.

Q. --- when you were a member of this team?

A. Never. The player, you know, was there, told me that some players use it, amphetamine, but at a higher level, first division.

5 Q. And you were in the second division?

A. Yes.

Q. Were there any rules in France about using drugs in this rugby league?

A. No.

10 Q. Then you were still in France in February of 1986, and then you stopped playing rugby and you began to play football in France?

A. Yes.

15 Q. And I understand that there is a senior football league in France?

And you became a member of one of the teams in that league, is that correct?

A. Yes.

Q. What was the name of your team?

20 A. Was the Blue Angel of Paris.

Q. The Blue Angels of Paris.

THE COMMISSIONER: Right.

MS. CHOWN:

25 Q. And what was the level of football

being played in this league, Mr. Chagnon? Was it as good as Canadian college football ---

5 THE COMMISSIONER: Well, it's a different game, Ms. Chown. It's not American, Canadian football, is it?

THE WITNESS: It is American football. The level is not very high. It's like high school football here.

10 THE COMMISSIONER: Is it like the American game or the Canadian game?

15 THE WITNESS: The Canadian game. The level not very high because in France, the best athlete is going in rugby or soccer, so the worst, the majority of the guys in France, that's the worst athlete who are not good in rugby and soccer. So they go in to play football.

THE COMMISSIONER: Are there many Americans or Canadians in the league, too? Were you the only Canadian on the Blue Angels?

20 THE WITNESS: That year I was the only Canadian. There was an American there.

MS. CHOWN:

Q. What position did you play with the Blue Angels?

25 A. With the Blue Angels I was playing

offensive line.

Q. How long did you play with the Blue Angels?

5 A. I have played two season. I played in '86 and then after I finish my degree at Bishop's, I came back to France to go to the Foreign Legion and then after the Foreign Legion I came back to play another season with the same team, the Blue Angels of Paris.

10 Q. Was that in 1987, then, your second season?

A. '88.

Q. 1988. During the two seasons that you played with the Blue Angels in 1986 and in 1988, did you observe any anabolic steroid use by your teammates?

15 A. 1986, about ten percent of the guys on the line -- I'm talk about line men.

Q. Yes?

20 A. Was using steroids. For the fact that the team was not very big, about 28 player. So almost the line men, all the line men took it. Unfortunately I was on that team and was the only team in France who, some player who took steroid.

Q. You're saying the other members of this senior football league or the other teams did not have steroid users on those teams?

A. No. And our team was hated by the other team because they knew that some guys were using steroids, they were huge, strong, bigger, faster. They were getting first rate because they were bigger. So they were mad about our team because of that.

Q. Did you use steroids yourself when you were with the Blue Angels?

A. No.

Q. Were there any rules or any testing in this football league in France for doping?

A. About football?

Q. Yes.

THE COMMISSIONER: Did they do any testing -- was it against the rules to use steroids at that time?

THE WITNESS: They never make a testing. They were supposed to make a testing because of our team, because the other player complain about our team, that the guys take steroids, so they were supposed to make a test, a drug test, just before the final.

THE COMMISSIONER: Yes?

THE WITNESS: But they never did.

THE COMMISSIONER: I see.

MS. CHOWN:

Q. Then going back to the summer of 1986, then, you finished the season with the Blue Angel team in France, and I understand you returned to Canada and you had registered at Bishop's University in Quebec, is that right?

A. Yes.

Q. Did you go to training camp for football for Bishop's University during the summer of 1986?

A. Yes.

Q. Before going to Bishop's, had you heard anything about steroid use and that team?

A. Yes.

Q. What had you heard?

A. When I was in France?

Q. Yes.

A. Just by hazard I met a guys who was at Bishop before, the year before, and that guy's attempting the football team. And the guys was French. And he told me that at Bishop a lot of guys using steroids. And that guy himself took it also.

Q. When you were in the training camp in the summer of 1986, did you get any information about steroid use by the team?

A. No. No. But when I arrived there, the guys, they saw me and they thought I was on steroids.

Q. They thought you were on steroids?

A. Yes.

Q. Because of your size?

A. Yes.

5 Q. And did you make any objections about
them?

A. No.

Q. Did you think they were on steroids?

10 A. Well, I later realized the guys that
asked me that and told me that, it was those guys that was
on steroids.

Q. Now, I'll come to that a little bit
later, but the name of the Bishop's football team is the
Bishop's Gaiters, is that correct?

15 A. Yes.

Q. And I understand you made the team in
1986 but you were not -- that you played one game for
Bishop's and then you had to sit out the rest of the
season as a result of a dispute you had for having played
20 exhibition games for McGill in 1985?

A. Yes.

Q. So you did not -- you were not active as
a member of the team in the fall of 1986 at Bishop's?

25 A. No, I just made training camp, played an
exhibition game at Guelph and then I played the first game

against Queen in Kingston and then the day after McGill
called Toronto, the Office of the Federation of Football
and said that guy was not eligible because he was playing
two exhibition game the year before, and when you play two
5 exhibition game you are not allowed to transfer the year
after. You have to sit out a year.

Q. What position had you played at
Bishop's?

A. Defensive line.

10 Q. Now, Mr. Chagnon, moving forward to the
winter of 1987, you're still at Bishop's as a student, and
you are expecting to play football for that university in
the next season, is that correct?

A. Yes.

Q. Did you make a decision yourself to take anabolic steroids in the winter of 1987?

A. Yes.

Q. Why?

5 A. Well, that's another factor why I took steroids. Nobody forced me to take steroids. It was my decision. I knew what I did. I knew the side effect that steroids take, I did, but you have a lot of kind of pressure on a campus.

10 I remember that the coach, the assistant coach at Bishop, he put on the weight room, some board, and he made a 300-pound club about bench press, and then 350-pound club, 400. And then I remember that I was in the weight room with him and he told me, "Mario, I want
15 you there." And he showed me the 400-pound club.

Q. What were you able to bench press at that time?

A. 315, 320. I know that naturally I was not able to bench 400 pounds.

20 Sure, it was my decision, I didn't have to listen to him, but when you see guys, some guys who they weigh less than you and they bench 400, you say, hey, something is not normal. And you see that those guys getting respect and they are getting success on the field
25 with that, you know, that's -- and also you have on that

period that you are at university and you realize that the football team is everything on campus. It is probably one of the most important things on the campus, the football team, the fact that that's a little campus, thousand
5 students there, the football team is everything.

So, football, the football becomes the most important thing for you. Study is important, but it is second.

Q. What anabolic steroids did you take?
10 Which anabolic steroids?

A. I think the classic mix up,
Deca-Durabolin.

Q. Deca-Durabolin?

A. Yes.

15 Q. Yes?

A. And Dianabol.

Q. Is that Dianabol tablets?

A. Yes.

20 Q. And the Deca-Durabolin is an injectable?

A. Yes.

Q. Where did you get these steroids from?

A. From the pusher of the campus, the same
pusher who inject to the majority of the football player
25 at Bishop's, and also the same pusher who sell steroids,

but also all kinds of drugs like marijuana, hash,
whatever.

Q. Was this person a student at the
university?

5 A. Yes.

Q. And did you know about him because
other people on the football team told you about him?

A. Well, the guys from France that I told
you before.

10 Q. Yes?

A. Introduce me to him, they knew him.

Q. Now, I believe that you told me that
you went on a cycle of anabolic steroids in 1987 that was
supposed to be six to eight weeks long?

15 A. Yes.

Q. Did you finish the cycle?

A. I go until the seventh week. After
seven weeks I stopped it, because the effect the steroids
have on me was not good. Sure, I became stronger, bigger,
20 but I became bulky. I didn't feel healthy, was feeling
like a balloon.

I was 235 when I took steroids, like I was
now, and after seven weeks I was 260.

Q. 235 before you went on the program and
25 260 pounds seven weeks later?

A. Yes, exactly. And just to show how strong steroids is, I was benching about 315 and seven weeks later I was benching 390.

Q. You say that you did not like the effect of this, the extra weight?

A. Didn't feel good. I didn't become aggressive or whatever, it just I couldn't sleep. That's it.

Q. And following that cycle of seven weeks, did you take anabolic steroids again?

A. No.

Q. Did you play for Bishop's then in the fall of 1987?

A. Yes.

Q. And during the training camps and the football season were you aware of any other players on the Bishop's Gaiters who were using anabolic steroids.

A. Yes, and I can affirm that I am sure about it, that's the five guys on the offensive line, the five starters during the 1987 season, those five players on the offensive line, the five starters took steroids for sure.

And when you see guys, I remember guys weigh 205 at the spring camp, then you arrive at August with 235, 240. That's naturally impossible to gain weight. It

was not fat weight, you know, it was muscle.

And that guy at the spring camp I am sure at that weight he will not make the team at August. So, he was lower than the good player. So, that guy who weigh
5 205 was an average player. So, he took steroids, and he become better than the good player who didn't take steroids. That's why get me frustrated because steroids allowed to an average player to pass a good player who didn't take steroids. That's unfair.

10 Q. You have said that the five men who were on the offensive line were on steroids. Were there other members of the team who were on steroids to your knowledge?

A. I put a list about 10 guys for sure who
15 take steroids. I can say names, whatever.

Q. Now, you have told us, I am not sure I did ask this earlier, you did play the football season in 1987 but you then left Bishop's in December of that year; is that correct, Mr. Chagnon?

20 A. Yes.

Q. During the time you were at Bishop's, did your coaches there talk to the team about anabolic steroids at any time?

A. When I arrived at Bishop's in August
25 '86, the coach was Bruce Coulter at that time. He made a

speech as usual before the season to introduce the coach and the players, and also he said that he advised to the players don't take steroids because for him it was ridiculous to take steroids because of all the facility that university have about weight room and all the stuff. Like that he said that the players don't need steroids because they have a nice weight room. That's what he mean.

Q. They can work hard in the weight room and gain muscle, is that what he was saying?

A. Yes, exactly, but he say that, but he know that -- I am sure he knows that some guys took it.

And I heard for sure that a guy went to the office of the assistant coach and he asked to the assistant coach, a player, he said the fact that next year is going to be my draft year, so I would like to take steroids. So the coach answer I am not for it, I am not against it. If you think that's going to improve you on the field as a player, I am for it. And also he said the coach said to the player if you want to take steroids, you know which guy to see. So, it means that the coach knew the pusher who said --

THE COMMISSIONER: You weren't there -- you didn't hear this yourself, you heard about this later, did you?

THE WITNESS: The pusher told me.

THE COMMISSIONER: But you weren't there when this conversation took place, someone else told you it went on, is that right?

5 THE WITNESS: I was not there.

THE COMMISSIONER: All right.

MS. CHOWN:

10 Q. Did the coaches ever come and talk to you when you had made this big weight gain yourself and ask you if you were taking steroids?

A. Never.

15 Q. Following December 1987, as you have told us, you left Bishop's and you then returned to France, as we have heard, went back and played after awhile with the Blue Angels again for another season in 1988?

A. Yes.

20 Q. Then you have been back in Montreal since the end of 1988?

A. Yes.

MS. CHOWN: Mr. Commissioner, those are all the questions I have for this witness.

25 THE COMMISSIONER: Thank you. Any questions?

You are now instructing in a body building gym, are you?

THE WITNESS: Yes, exactly.

THE COMMISSIONER: We have had heard a
5 great deal of evidence that there is a lot of steroids
around these body buildings gyms. What has your
experience been?

THE WITNESS: You know the fact that I took
steroids and I know the effect, and when somebody come to
10 see me and he ask me, I would like to take steroids.
Well, I told him you can try, but you not regret at the
time that you take it, but you are going to regret it
later.

You know I came here today because I was
15 tired of lying to people. People asked me you take
steroids, you take steroids, you cannot even see the guys
in the eyes to say "no". That's the reason why you regret
later because somebody is going to know you take steroids,
whatever.

THE COMMISSIONER: So, you discourage your
20 pupils. Do they listen to you all the time or do some not
take your advice?

THE WITNESS: Well, the people who come to
see me they have 19, 20, the most important thing for them
25 is to look good, getting bigger, stronger, have prestige,

have special character, but taking steroids is doing much more further than getting bigger or stronger.

It is like on the campus at Bishop's, the guys was benching 400 pounds and then you saw people, look
5 this guy is big, strong, he look good.

So, the fact now he feel that he have a special character, he have prestige, so to keep that to keep that special character, what you have to do, he have to continue to stake steroids. And then the people saw
10 him on the campus. And then it is continuing like that. The people follow.

And that's the reason why I came here. I think that somebody have to stop that talk about it because that's not become sport. What they want, that's
15 why I feel on the football field, the coaching, he doesn't care. He look like he doesn't care who took steroids or not. What he wants is just the performance from the guy. That's not become sport.

THE COMMISSIONER: All right.

20 THE WITNESS: That's the loss of the sportsmanship.

THE COMMISSIONER: Well, thank you very much for your assistance, Mr. Chagnon. We appreciate it very much.

25 THE WITNESS: Thanks.

THE COMMISSIONER: Thank you.

MS. CHOWN: Mr. Commissioner, I appreciate
its quite early, but because of the rescheduling of
witnesses, I wonder if we might have a short break before
the next witness is called.

THE COMMISSIONER: Thank you. Let me know
when you are ready. Thank you, Ms. Chown.

THE COMMISSIONER: Ms. Chown?

MS. CHOWN: Thank you, Mr. Commissioner.

Our next witness is with the Ontario

Veterinary Association. Mr. Richard Steinecke is here as
5 counsel to the Association, and before we call Miss Lloyd,
Mr. Commissioner, I simply wanted to indicate to you that
it is of course of concern to the Commission the area of
distribution of anabolic steroids, and we are concerned
that to look at the area of veterinarians' use of anabolic
10 steroids and the question of whether some of these drugs
are diverted to other than appropriate channels.

It was for that reason that we asked Miss
Lloyd to come ---

THE COMMISSIONER: I understand you don't
15 want her -- I think you have made some arrangements ---

MS. CHOWN: Yes, we have. Because of the
nature of the work with the Association, we have made a
request that she not be shown on camera.

THE COMMISSIONER: Thank you very much.
20 All right, bring her in.

DEBORAH CATHERINE LLOYD, sworn.

THE COMMISSIONER: Ms. Chown?

25

MS. CHOWN:

Q. Miss Lloyd, I understand that you are an investigator with the Ontario Veterinary Association?

A. That's correct.

5 Q. Could you start off by telling us what the Association is, what is its function?

A. The Veterinary Associatioin is the governing body within the province of Ontario for veterinarians.

10 Q. How long have you been an investigator with the Association?

A. Since May of '87.

Q. Would you briefly describe for us what your duties are as an investigator?

15 A. I investigate the veterinarians for misconduct or any type of investigation that the Registrar appoints me to.

Q. I understand in the course of your duties you have in fact developed a special expertise and that has been the focus of many of your investigations. Am I correct that you are particularly interested in examining the use of anabolic steroids by veterinarians?

A. Yes, I am.

20 Q. Because we have not had the opportunity to hear from a veterinarian as yet, although we have

certainly heard references to veterinarian drugs, I wonder if you could start off by describing for us, Miss Lloyd, by describing how it is that veterinarians acquire drugs, how they dispense them, how they deal with those who come in to seek drugs from them?

A. Veterinarians are licensed doctors so therefore they require (sic) the drugs directly through drug companies or manufacturers and they are kind of unique in the sense that they also store the drugs within their clinics or practices on larger scales because of the type of patients they deal with, being animals, they take sometimes large doses.

And they also dispense directly from there to their clients and they also --- and that's exactly like a pharmacy as well.

Q. Does a veterinarian write prescriptions for medication?

A. In some instances they can. If for some reason they aren't in stock presently of whatever the particular drug would be, they could write a prescription and either ---

THE COMMISSIONER: They can also dispense themselves?

THE WITNESS: They can dispense themselves.

THE COMMISSIONER: Yes, so they can assume

the role of the pharmacy.

THE WITNESS: They can, yes.

And if they happen to be out of stock of something they can either refer the client on to another veterinarian, and that's where a prescription would
5 actually come into it, or a pharmacy.

MS. CHOWN:

Q. And would it happen from time to time that someone seeking assistance from a veterinarian might
10 fill a prescription at an ordinary pharmacy?

A. It's rare, but it's possible.

Q. Would you describe for us the procedure that a vet must go through before either prescribing or
15 dispensing medication to an animal owner?

A. It's stated under our by-laws of our Act that the veterinarian must know and access the animal before he dispenses or prescribes a drug.

Q. You've mentioned your Act. I understand that veterinarians are governed by the Veterinarians' Act, which is an Ontario statute, and that governs all aspects of their practice as veterinarians, but one particular section of that Act deals with handling and dispensing of
20 drugs?

A. That's correct.
25

MS. CHOWN: Mr. Commissioner, I have just had reproduced section 61 of that Act because it refers to the provisions that Miss Lloyd described.

THE COMMISSIONER: Thank you. We need not make that an exhibit, if it's on our statutes. Thank you.

Is this the regulation? Or is it part of the Act?

MS. CHOWN: It's part of the Act ---

THE WITNESS: This is the by-laws of the Act ---

MS. CHOWN: I'm sorry, Mr. Steinecke has corrected me, this is one of the by-laws.

THE COMMISSIONER: All right.

MS. CHOWN: And if I can direct you, Mr. Commissioner, to page 59 of this excerpt and in particular, section 71 of the by-laws.

MS. CHOWN:

Q. Miss Lloyd, I'm correct in saying that that section sets out in detail what a veterinarian must do before administering, dispensing or prescribing a veterinary drug?

A. Yes, particularly section (b) (i).

Q. So (b) (i) ---

A. And (ii).

Q. --- says the veterinarian must assume the responsibility making medical judgments regarding the health of the animal and the need for medical treatment, and section (ii) says, has sufficient knowledge of the animal by virtue of a history and inquiry and either
5 physical examination of the animal or medically appropriate and timely visits to the premises ---

A. That's correct.

Q. --- where the animal is kept.

10 And the purpose, I take it, of imposing regulations such as this on a veterinarian is to ensure that the medicine is prescribed for a particular animal with a particular problem?

A. Yes.

15 THE COMMISSIONER: And only for the animal.

THE WITNESS: And only for the animal.

MS. CHOWN:

Q. And only for the animal.

20 And either the veterinary must see the animal, in that the animal it brought to him, or in the cases of large animals, I gather it's quite common for vets to attend at the premises where the animal is kept?

A. That's correct.

25 Q. Can you assist us, Miss Lloyd, as to

first of all whether anabolic steroids are used in a clinical sense commonly by veterinarians and, if so, for what purposes?

5 A. Yes, they are used commonly and they are used for, the attendant use is for dilapidated animals, where they are in a dilapidated condition, to rebuild their body tissue on a quick basis.

10 Q. And are there any particular kinds of animals that veterinarians mostly frequently prescribe anabolic steroids for this purpose?

A. Horses are probably the most common, and dogs.

Q. Horses and?

A. Dogs.

15 Q. Dogs. And are you aware at the present time whether let us say dealing with horses, there are any restrictions against animal owners using anabolic steroids on their horses?

20 A. To my present knowledge, no, there isn't.

Q. Now, of course veterinarians use a wide variety of other medication as well, but the questions I'm going to be asking you now deal with the use by veterinarians of anabolic steroids.

25 How does the Ontario Veterinary Association

monitor the use of anabolic steroids by veterinarians?

A. Occasionally we may, through word of mouth or through a source, receive information that a veterinarian may in fact be dispensing a drug of sorts
5 over the counter, which is not in conjunction with the by-laws of our Act, which means that he is not making the assessment of the animal. So then I would go in and make undercover purchases at that particular clinic.

I make three purchases on an undercover
10 basis without an animal and ---

Q. So you're simply attempting to see whether the veterinarian is willing to sell you a drug without having inspected your animal?

A. That's correct.

15 Q. And indeed, in fact, without having known you as a prior animal owner or customer of his or her ---

A. That's correct. I just simply walk in off the street with no animal and request the particular
20 drug. I have been using the drug Winstrol-V or Equipoise, which are both steroids, as my drug when I make these purchases.

Q. Have you been able on occasion to purchase steroids under these conditions?

25 A. Yes, I made three different clinic

purchases with three purchases at each clinic. So that was nine.

And then I would report each one of these purchases to my direct superior, who is the Registrar of the Association, and at that point it is brought before
5 the Council of the Association and the veterinarian in question is brought before the Council for a interview.

Q. And as a result of that interview what steps may be taken?

10 A. As a result of the interviews the particular doctors were admonished and then short times later I would then re-attend to the practices, again on a undercover basis, because my identity was still not known, and attempt to make purchases again, at which time I was
15 always... in failure. I was never able to purchase anything else.

Q. And do you on occasion receive information from sources about apparently very high usage of anabolic steroids by particular veterinarians?

20 A. Yes, I do.

THE COMMISSIONER: You mean purchases, I guess.

MS. CHOWN:

25 Q. I'm sorry, purchases by an individual

veterinarian?

A. Yes, I did.

Q. And is that something that you would follow up with an investigation?

5 A. Yes, in those cases I have an option of either taking a frontal approach where I go in and identify myself to the veterinarian, and under our Act I have the right to see his records, and demand to see his records pertaining to those purchases and dispense ---

10 THE COMMISSIONER: How would this information come to your attention?

THE WITNESS: It's usually through a source that --- it comes to my attention directly through my boss who is the Registrar. And he usually has a source of
15 another information that, that he would receive the information from.

MS. CHOWN:

20 Q. So you say that you ask to see a veterinarian's records. I understand the veterinarian is required to keep certain kinds of records on an animal and would those records indicate prescription ---

THE COMMISSIONER: Does he have to keep records of the purchases? Because he wouldn't have an
25 animal if he's not ---

THE WITNESS: He would, he would have the records of the purchases of the drugs from the companies. And so I would ask to see those, as well as any patients or clients that he would dispense those drugs to, as well
5 as the stock that he would have either in his mobile -- which is when he goes to see the larger animals with --- or in his practice itself, or any other place else where he may store it.

So I would then take an inventory of the stock that he would presently have and compare it to what
10 he would have documented as being dispensed out over the period of time from his purchases and then compare with approximate doses and things like that, to figure out if in fact the intended use for the large purchases would
15 have been for the animals.

MS. CHOWN:

Q. So simply in an effort to match his particular practice profile with the amount of drugs he's
20 ordering and to see if there is a discrepancy?

A. That's correct.

Q. And I take it that the concern there is if he cannot justify the use, because of the nature of the animals he's treating there, is a concern on your part
25 that these drugs may be diverted to illegitimate sources?

A. That's correct.

Q. I believe you indicated you have two ways of investigating that, and you've described the frontal approach as you've called it, simply going in and being very direct about what you were doing there.

What other approach do you take to investigate ---

A. The other approach would be the undercover approach, which is what I described before, I would go in off the street and attempt to make a purchase, and to determine if it was easily purchased at that particular clinic and then take it further from there, and then do the frontal approach after I had done my undercover approach.

Q. Now, those then are two kinds of problems that you have investigated, the over-the-counter sales without adequate assessment, the high levels of purchases by individual veterinarians.

I understand as well from time to time you receive information about break-ins at veterinary offices?

A. Yes, I do.

Um, we receive information from the Bureau of Dangerous Drugs on a monthly basis of all break-ins for reported losses to the Bureau for controlled and narcotic drugs. And there are occasionally veterinary clinics or

veterinary offices listed within those printouts. And at that time I review them and make statistical notes of those.

Q. And as you have been careful to
5 describe, you receive information on controlled drugs; and anabolic steroids are not a controlled drug?

A. No, they are not.

Q. So is there any requirement placed on a
10 veterinarian to report a break-in and a seizure of anabolic steroids from his or her office?

A. The only requirement would be for his
insurance or her insurance purposes, that when they report the break-in, they would report all the thefts of every
15 drug to the police officer in charge, and that would be the only record that would show any Schedule F drug, particularly the steroids, or the anabolic steroids, and the controlled and narcotics are -- also report to the police but they also report to the Bureau of Dangerous
20 Drugs.

Q. However, have you in the course of your
20 investigations received information from time to time about break-ins that do involve anabolic steroids?

A. Yes, I have. I quite frequently get
25 phone calls from police departments advising me or asking me questions regarding steroids or other drugs that are

stolen through break-ins of veterinary clinics of the province.

Q. I believe you've also indicated to me two other areas in which you investigate, and one of those I understand is individuals purporting to be veterinarians to place orders with drug companies to purchase anabolic steroids?

A. Yes, that is correct.

Q. Tell me about that?

A. We call them unauthorized practice. They are people who may pose as a veterinarian and perform veterinary services for the public, and in those instances the people sometimes have large quantities of particular types of drugs and on some occasions they have had anabolic steroids and their sources have been, um found to be drug companies within the province and without the province.

Q. And do you have as a result of your investigation of those particular situations any information as to the ultimate users of the products obtained by these people posing as veterinarians? In other words, are people posing as veterinarians tending to prescribe these drugs that they order for animals or do you have any information as to what they are exactly doing?

A. On some instances they do actually administer them to the animals themselves and on other instances they dispense them. And once they are dispensed, I'm not sure what the use is after that.

5 Q. Earlier on in your testimony you indicated that it was possible on occasion for an animal owner to obtain a prescription and go to a drugstore to obtain veterinary product.

10 Let me ask you first of all whether it is relatively common for drugstores to stock veterinary drugs?

A. No, it's not common. I think actually I should have clarified myself a bit when I was saying they do go to a drugstore.

15 It's usually for a human drug that the drugstore would have, where the veterinary may not have it, that he may send them there. The veterinary drugs themselves are usually not stocked within the pharmacies. However, they can -- there is nothing wrong with them
20 stocking it but they have usually don't.

And on one occasion I did get a complaint that there was a particular store, drugstore that did have a supply of veterinary drugs that were readily accessible to the public.

25 Q. I understand this was a drugstore on the

outskirts of Toronto?

A. Yes, it was.

Q. And as a result of that complaint you received, did you conduct an investigation of this particular drugstore?

A. Yes, I did.

Q. Can you tell us what you found?

A. Sure.

I have attended at the drugstore in an undercover capacity again and took note that there were numerous shelves with veterinary purchases on them, and I purchased at that time a bottle of Atrovat, which is a mild tranquilizer type for an animal, commonly used in dogs and cats and horses when they're transporting them ---

Q. Can I stop you there. Did you observe veterinary steroids to be available in the pharmacy?

A. I enquired if they were available at the pharmacy and they had advised me that they were, given me the price of \$99.95. At that time I didn't have the money on me, so I then went to the Police Department in the area to ask their assistance in funding me for the purchase.

Q. All right. And did you subsequently return to the drugstore and make a purchase of anabolic steroids?

A. Yes, I did. I returned with an

undercover drug officer from that police force and we made an undercover purchase at the counter of the Winstrol-V, injectible.

5 Q. And in the course of conducting the investigation following that purchase, did you obtain any information about how it was that the drugstore had the drugs and to whom they were giving them or selling them?

10 A. Upon identifying ourselves to the employees, we went downstairs and asked to see their invoicings for their supplier and they were receiving the product from a drug company within the province, which was fine, and we asked why they dispensed it to me and the employee from the pharmacy had directed -- at least, said to me they were instructed that as long as the person
15 looked horsey, it was all right to dispense it.

THE COMMISSIONER: What did you think about that?

20 THE WITNESS: I didn't know which way to think about it. I know my hips are big, but gee.

MS. CHOWN:

25 Q. So I believe then now you have covered the various ways in which you conduct investigations into looking at how veterinarians may deal with steroids in violation of your existing by-laws in Ontario.

And am I correct in understanding that as a result of your investigations, an individual veterinarian may be charged with professional misconduct under the Act that governs his profession?

5 A. That's correct.

Q. And as a result of such a charge, there would be a hearing, and if there was a conviction, there are penalties that are imposed on the veterinarians?

A. That's correct.

10 Q. And what are those penalties in general terms?

A. They could be suspended or, if it was serious enough, they could have their licence terminated or they could have other conditions implied (sic) upon them.

15 Q. And are you aware to date whether there have been any veterinarians who have been convicted of professional misconduct with particular view to their dispensing or administering of anabolic steroids?

20 A. Not to date.

Q. Now, I understand as a result of your work you have branched into a wider look at the distribution of steroids in Ontario, and in particular have some information about the distribution of steroids through gyms. Can you tell us how became involved in

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that, please?

A. Um, it was through one of our investigations that we had received information from a source that there was a gym within Toronto that were
5 dispensing or selling veterinary steroids from there. So at that time I went to investigate and it was found to be that the source was not in fact a veterinarian at all ---

Q. Let me just be clear. The reason you were asked to go and investigate was not simply because
10 they were veterinary drugs ---

A. Because we thought it was a veterinary source.

Q. I see.

A. Like we thought a veterinarian may be
15 behind supplying this particular gymnasium with the product. And it was found that the product was in fact Winstrol-V but it came from the United States.

Q. And as a result of your assistance and work with police forces in that investigation, have you
20 continued to be involved with various police forces in that investigation, have you continued to be involved with various police forces concerning the investigation of the distribution of anabolic steroids?

A. Yes, I have. Um, I act as a
25 liaison with the department and the Association, and many

police departments have called on me to come in and speak to their drug squad officers regarding the Veterinary Association in its role as well as the steroids and the information I have obtained through the investigation with the gymnasiums.

Q. I gather that you have had a number of speaking engagements and you continue to carry these out today?

A. Yes, I do.

MS. CHOWN: Mr. Commissioner, those are all the questions I have.

THE COMMISSIONER: Thank you, Ms. Chown.

Mr. Steinecke, any questions?

MR. STEINECKE: No.

THE COMMISSIONER: Any questions?

MR. DePENCIER: No.

MR. COMMISSIONER: Well, thank you very much for your assistance.

MS. CHOWN: Mr. Commissioner, those are our witnesses then for today.

MR. COMMISSIONER: We'll adjourn until Thursday morning at 10 o'clock?

MS. CHOWN: That's right.

MR. COMMISSIONER: Thursday at 10:00.

Thank you.

--- Whereupon the proceedings adjourned until Thursday,
September 7, 1989 at 10:00 a.m.

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79 MARIO CHAGNON
DEBBIE LLOYD

Sept 5/89